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WP

DISCLOSURE DIVISION

- ☒ **WAIVER REQUEST**
☐ **ANSWER**
☐ **RECONSIDERATION REQUEST**

DATE: MARCH 15, 2016

DOCKET #: 2016-352

FILER INFORMATION

Robin Gremillion, Director
Disclosure Division

Name: **MONTES, JEAN**

Office/Position: -----

Board/Commission: Lycee' Francais de la Nouvelle Orleans Charter School

Dates of Service: October 2011 – June 2013

Number of Disclosures and/or Amendments Filed with Agency: 3

REPORT INFORMATION

Tier Level: Tier 3

Name of Report: Tier 3 Annual PFD covering 2013

Original Due Date: May 15, 2014

NOD Received: January 20, 2015

PFD due Date based on NOD: January 29, 2015

PFD Filed: March 8, 2016

LATE FEE INFORMATION

Amount of Late Fee: \$1500

Days late from receipt of NOD: 404

Total days late from initial due date: 663

Late Fee Order Received: March 1, 2016

Payment/Waiver Request due date: March 21, 2016

Waiver Request Received: March 8, 2016

REASON FOR LATE FILING AND/OR COMMENTS:

Mr. Montes' stated that because his service ended in 2013, he did not have to file a disclosure statement. He stated he continued to receive notices from our agency which prompted him to contact our agency to determine if he was required to file the disclosure statement.

Mr. Montes' apologizes for his misunderstanding and requests that the late fee be waived.

OTHER LATE FEE INFORMATION

Disclosure Statements:

- Other Outstanding Statements: No
- Other Outstanding Late Fees: No
- Prior Late Fees: No
- Reassessed Late Fees: No

Campaign Finance:

- Outstanding Late Fees: No
- Prior Late Fees: No



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.state.la.us

CERTIFIED MAIL

NO. 70140150000021906974

RETURN RECEIPT REQUESTED

January 14, 2015

Jean Montes
7471 Pitt St
New Orleans, LA 70118

RE: NOTICE OF DELINQUENCY - FAILURE TO FILE
Statement covering 2013
Lycee' Francais De La Nouvelle Orleans Charter School

Dear Dr. Montes:

Pursuant to La. R.S. 42:1124.4, if a person fails to file a Personal Financial Disclosure Statement as required by 42:1124, 1124.2, 1124.2.1, or 1124.3; omits information; or files inaccurately, a Notice of Delinquency shall be issued. A review of our records indicates that we have not received your Personal Financial Disclosure Statement.

You have 7 business days from the date of receipt of this Notice to file your Tier 3 Personal Financial Disclosure Statement covering 2013, or to submit an Answer explaining why you feel you are not required to file a Personal Financial Disclosure Statement. Failure to file a Personal Financial Disclosure Statement or an Answer within the 7 business days will subject you to an automatic late fee of \$50 per day up to a maximum of \$1,500. Proof of timely filing is determined by the U.S. Postal Service postmark; receipt from the U.S. Postal Service; or receipt from a commercial delivery service.

The form for the Tier 3 Personal Financial Disclosure Statement (Form 418a) is available on the Louisiana Board of Ethics website at www.ethics.state.la.us. If you have any questions, you may contact me at 225/219-5600 or 800/842-6630.

Sincerely,

Melanie Legier
Compliance Officer

LOUISIANA BOARD OF ETHICSPost Office Box 4368
Baton Rouge, Louisiana 70821**TIER 3 PERSONAL FINANCIAL DISCLOSURE STATEMENT (ANNUAL)**THIS REPORT COVERS CALENDAR YEAR: 2013

- ☒ ORIGINAL REPORT
☐ AMENDED REPORT
☐ FINAL REPORT WHERE TERM ENDS IN JANUARY (COVERING JANUARY 1 THROUGH JANUARY ____)

Final reports must be filed on or before May 15 of the year in which your service to that office ends.
Refer to the "GENERAL INFORMATION" sheet of this form to determine eligibility.

OFFICE/POSITION HELD: Board President LFNONAME (print full name): Dr. JEAN MontesMAILING Address: 7471 Pite StCity, State, Zip: New Orleans, LA 70118

Name of Spouse (if applicable) (print full name)

Sarah E. MontesSpouse's Occupation: Associate Dean of Advising & CareerPrincipal Business Address: Tulane UniversityCity, State, Zip: New Orleans, LA 70118**CHECK ALL THAT APPLY**

- ☒ I have filed my federal income tax return for the previous year.
☐ I have filed for an extension of my federal income tax return for the previous year.
☐ I have filed my state income tax return for the previous year.
☐ I have filed for an extension of my state income tax return for the previous year.

NOTE: La. R.S. 42:1124.3 does not provide you the opportunity to request an extension in filing your personal financial disclosure statement.

CERTIFICATION OF ACCURACY

I do hereby certify that the information contained in this personal financial disclosure statement is true and correct to the best of my knowledge and belief.



SIGNATURE OF FILER



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

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CERTIFIED MAIL

NO. 70151520000337262505

RETURN RECEIPT REQUESTED

January 5, 2016

Jean Montes
7471 Pitt St
New Orleans, LA 70118

RE: Tier 3 Annual Personal Financial Disclosure Statement for calendar year 2013
Lycee' de la Nouvelle Orleans Charter School
Late Fee Assessment – Report:

Dear Dr. Montes:

Enclosed is an assessment of a late fee pursuant to La. R.S. 42:1124.4. Please submit a check or money order in the amount of \$1,500 payable to the *Louisiana State Treasurer*, Post Office Box 4368, Baton Rouge, Louisiana 70821.

In addition to the payment of this late fee, you are required to file a Tier 3 Annual Personal Financial Disclosure Statement for calendar year 2013, within 20 days from receipt of this notice. If the disclosure statement is not filed, the matter will be referred to the Ethics Board for further action.

You have 20 days from the receipt of this letter to submit payment or dispute this assessment. To dispute the assessment, you may elect to:

- **Request a waiver to the *Board of Ethics***

If you choose to request a waiver of the late fee, your request should include specific details, along with supporting documentation, as to why, in your opinion, you have *good cause* for not timely filing the report and why the late fee should be reduced, suspended, or waived. The request should be submitted to the attention of: *Louisiana Board of Ethics*, Post Office Box 4368, Baton Rouge, Louisiana 70821. You may also fax the request to 225/381-7271. Also, if you would like to appear before the Board of Ethics in connection with your request, you should state that in your request. If you request an appearance, you will be notified of the place and time prior to the meeting.

- **Appeal the assessment directly to the *Ethics Adjudicatory Board***

If you choose to appeal the assessment of the late fee, the proceedings will go before a three judge panel of administrative law judges. The panel will determine if you were required to file the disclosure statement and whether the disclosure statement was filed late. Mitigating factors are not considered. The Ethics Adjudicatory Board does not have the authority to reduce, suspend, or waive a late fee assessment. If you choose to *appeal* the assessment, you should submit your request to the attention of: *Executive Secretary*, Ethics Administration, Post Office Box 4368, Baton Rouge, Louisiana 70821. You may also fax the request to 225/381-7271.

If you do not pay, dispute, or appeal the assessment of the late fee, the matter will be forwarded to the Attorney General's Office to pursue collection. If the matter is forwarded to the Attorney General's Office for collection, you may be responsible for all additional costs incurred. Additionally, late fees not paid by the due date will be posted on the agency website.

You should be aware that unpaid fines, fees, or penalties may have an adverse effect on your ability to run for public office, as the *Board of Ethics* will object to your candidacy in future elections pursuant to La. R.S. 18:491 and 18:492.

If you have any questions, you may contact Robin Gremillion at 225/219-5600 or 1-800-842-6630.

Sincerely,

Robin Gremillion, Director
Disclosure Division

**STATE OF LOUISIANA
BOARD OF ETHICS**

**In Re: Tier 3 Annual Personal Financial Disclosure Statement 2013
Lycee' de la Nouvelle Orleans Charter School
Late Fee Assessment – Report:**

ORDER

JEAN MONTES was required to file a Tier 3 Annual Personal Financial Disclosure Statement for calendar year 2013 pursuant to La. R.S. 42:1124 et seq.

On January 20, 2015, JEAN MONTES received a Notice of Delinquency for failing to file the disclosure statement. The notice required that the disclosure statement be filed by January 29, 2015 (pursuant to La. R.S. 42:1124.4). As of this date, the disclosure statement has not been filed.

La. R.S. 42:1124.4 authorizes the assessment of a \$50 late fee per day (not to exceed \$1,500) against JEAN MONTES for this late filing.

Accordingly, **IT IS ORDERED** that the maximum penalty amount of \$1,500 be assessed against JEAN MONTES for failing to timely file the Tier 3 Annual Personal Financial Disclosure Statement for calendar year 2013.

IT IS FURTHER ORDERED that JEAN MONTES file a Tier 3 Annual Personal Financial Disclosure Statement for calendar year 2013.

ORDER signed on the 5th day of January 2016 at Baton Rouge, Louisiana.



Robin Gremillion, Director

Disclosure Division

To Whom It May Concern:

I am writing to request a waiver to the Board of Ethics,

Having left the board of Directors in June 2013 I was under the impression that I was no longer in need to continue to provide the tier 3 personal financial disclosure statement. I thought that one I filled the year prior was valid until the end of the fiscal. Therefore I wrote a letter explaining my understanding of the situation. Unfortunately I never received a response nor an explanation of the situation from the Board of Ethics Standpoint. Without receiving an explanation I continue to receive a request to fill out the form. I finally decided to inquire again as to the reason why this persisted and Ms. Robin Gremillion kindly explained to me over the phone that yes they received my letter but I still need to fill out the form because I was on the board for part of 2013.

I am filling out the form requested. I apologize for the misunderstanding of not filling the report and request that the fee be waived.

Thanks for your consideration

Sincerely,

Dr. Jean Montès

RECEIVED
3-8-16
JR

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jean Montes
7471 Pitt St
New Orleans, LA 70118

2. Article Number
(Transfer from service label)

7014 0150 0000 2190 6974

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent
X ☐ Addressee
- B. Received by (Printed Name) C. Date of Delivery
JEAN MONTES 1-20-15
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes